

West Virginia Board of Medicine Quarterly Newsletter

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Notice To Physicians: End-Of-Life Care Including Pain Management CME Requirement

House Bill 2815 enacted this year and effective in mid July, 2001, requires that everyone issued a license by the Board of Medicine (physicians, podiatrists, physician assistants) must complete two hours of continuing education coursework in “end-of-life care including pain management” during each continuing education reporting period. The two hours are not in addition to the required hours every two years, but are part of the total hours required each reporting period.

Those renewing physician licenses in 2002 for the period, July 1, 2002 through June 30, 2004, will be those physicians whose last names begin with the letters A through L, and you will need to have obtained your two “end-of-life care including pain management” continuing education hours before the end of June, 2002. Podiatrists and physician assistants will not be renewing their licenses until 2003, so this first informational notice will focus on physicians.

In determining how to meet the requirements of House Bill 2815, to avoid problems should physicians be audited next year in the Board of Medicine’s annual audit of continuing medical education, all physicians must look to the following:

1. Does the two hours of coursework truly qualify as “end-of-life care including pain management” coursework? Remember, that phrase is the key. For example, if the course is advertised only as “end-of-life care” and does not specify that “pain management” is included, then it is not obvious that the course qualifies as meeting the requirement.
2. The “end-of-life care including pain management” continuing education also must qualify as continuing medical education

satisfactory to the Board, under Board rule 11 CSR 6. The rule specifies:

2.2. In order to acquire continuing medical education satisfactory to the Board, a physician may:

2.2.1. Take continuing medical education designated as Category I by the American Medical Association or the Academy of Family Physicians, or

2.2.2. Teach medical education courses or lecture to medical students, residents, or licensed physicians, or serve as a preceptor to medical students or residents: Provided, that a physician may not count more than twenty (20) hours in this category toward the required fifty (50) hours of continuing medical education.

2.2.3. Sit for and pass a certification or recertification examination of one of the American Board of Medical Specialties member boards, and receive certification or recertification from said board: Provided, that a physician may not count more than twenty-five (25) hours in this category toward the required fifty (50) hours of continuing medical education. Certification or recertification from any board other than one of the American Board of Medical Specialties member boards does not qualify the recipient for any credit hours of continuing medical education.

There are no other types or categories of continuing medical education satisfactory to the Board.

The next newsletter issue will address podiatrist and physician assistant requirements for this special continuing education.

BOARD MEMBER PROFILE

J. David Lynch, Jr., M.D.

Dr. Lynch was appointed to the Board of Medicine in May, 2000, by then Governor Underwood. He is the Chairman of the Malpractice Committee.

A graduate of West Virginia University with a degree in chemistry, Dr. Lynch graduated from West Virginia University Medical School in Morgantown in 1989, and completed internship at St. Francis Medical Center in Pittsburgh, Pennsylvania, following which he was a Resident for three years in Physical Medicine and Rehabilitation at St. Francis Medical Center, and was Chief Resident in Physical Medicine and Rehabilitation as well.

Dr. Lynch is engaged in the private practice of rehabilitation medicine in Morgantown, where he specializes in physical medicine and rehabilitation and electrodiagnostic medicine. He enjoys hospital privileges in Morgantown at Monongalia General Hospital and HealthSouth Mountainview Rehabilitation Hospital. He is a clinical instructor at West Virginia University,

Department of Internal Medicine and Orthopedics, and a Diplomate of the American Board of Physical Medicine and Rehabilitation. Dr. Lynch is licensed to practice medicine in Pennsylvania as well as in West Virginia.

Dr. Lynch has served as Medical Director of the Spinal Cord Injury Program, the Musculoskeletal Program, the Pain Management Program, and the Outpatient Program, all at Mountainview Regional Rehabilitation Hospital in Morgantown, and was the Director of Physical Medicine there from 1995 to 1998. During this period, Dr. Lynch was appointed by Governor Underwood for a two year term as a member of the Advisory Board on Workers' Compensation Health Care. His office is now located in the new 39,000 square foot Healthworks Rehabilitation and Fitness building which is co-owned by West Virginia University Hospital and Monongalia Health Systems.

He has lectured on the management of several health problems, including chronic back pain, shoulder pain in the hemiplegic patient, right cerebral stroke, osteoarthritis, and ischemic spinal cord injury secondary to abdominal aortic aneurysm dissection. Dr. Lynch has a number of special interests: musculoskeletal disorders, peripheral and central nervous system disorders, acute and chronic pain syndrome, back pain, EMG/NCS-electro-diagnosis, amputees, brain injury, spinal cord injury, and impairment and disability evaluations.

Dr. Lynch is married to a neonatologist, Susan Kaye Lynch, M.D., and they have three children.

BOARD ACTIONS JULY 2001 – SEPTEMBER 2001

AMAR, JOHN JASON, M.D. - Lewisburg, WV (09/10/01)

WV License No. 16612

Board Finding: Dr. Amar has been found guilty by a court of competent jurisdiction of a felony involving unlawfully distributing controlled substances under State or Federal law for other than generally accepted therapeutic purposes.

Board Action: Under the provisions of West Virginia Code §30-3-14(d), the license to practice medicine and surgery of Dr. Amar was REVOKED effective September 20, 2001.

DANIEL, WILLIAM DOUGLAS, M.D. - Buckhannon, WV (09/14/01)

WV License No. 13044

Board Finding: The Board determined that Dr. Daniel was not in compliance with the May 17, 2001, Board requirement that he attend CPEP (Colorado Personalized Education for Physicians).

Board Action: Effective September 20, 2001, Dr. Daniel's license to practice medicine and surgery in the State of West Virginia, currently in a probationary status, was SUSPENDED.

GRIFFITH, JR., JOHN PERRY, M.D. - Wheeling, WV (08/14/01)

WV License No. 8052

Board Finding: Relating to renewing a license to practice medicine and surgery by fraudulent misrepresentation and making a false statement in connection with a licensure application.

Board Action: The license to practice medicine and surgery in the State of West Virginia of Dr. Griffith was SURRENDERED effective August 15, 2001.

HEMBREE, WANDA MARIE, M.D. - Morgantown, WV (08/23/01)

WV License No. 16722

Board Finding: Relating to probable cause findings of demonstrating a lack of professional competence to practice medicine with a reasonable degree of skill and safety for patients; engaging in unprofessional conduct, including failure to conform to the standards of acceptable and prevailing practice; failing to practice medicine with that level of care, skill, and treatment which is recognized by a reasonable, prudent physician engaged in the same or similar specialty as being acceptable under similar conditions or circumstances.

Board Action: Dr. Hembree's license was placed on PROBATION for two (2) years effective August 15, 2001, and said probation will automatically terminate after two (2) years of satisfactory reports to the Board by the Department of Obstetrics and Gynecology, West Virginia University School of Medicine, and Ruby Memorial Hospital.

KHOURY, ELIAS HAIKAL, M.D. - Grantsville, WV (07/27/01)

WV License No. 13213

Board Finding: Dr. Khoury may have failed to practice medicine with that level of care, skill, and treatment recognized by a reasonable, prudent physician engaged in the same or similar specialty as being acceptable under similar conditions and circumstances, and unprofessional conduct.

Board Action: Dr. Khoury's license was SUSPENDED for two (2) years effective July 30, 2001, and said suspension was immediately STAYED, and his license was placed on PROBATION for two (2) years terminating July 29, 2003.

LAWRENCE-BERREY, ROBERT EDMOND, M.D. - Parkersburg, WV (08/08/01)

WV License No. 9587

Board Finding: Relating to renewing a license to practice medicine and surgery by fraudulent misrepresentation and making a false statement in connection with a licensure application.

Board Action: The license to practice medicine and surgery in the State of West Virginia of Dr. Lawrence-Berrey was SURRENDERED effective August 15, 2001.

LINGER, HARRY TETER, M.D. - Bridgeport, WV (08/14/01)

WV License No. 7561

Board Finding: Relating to renewing a license to practice medicine and surgery by fraudulent misrepresentation and making a false statement in connection with a licensure application.

Board Action: The license to practice medicine and surgery in the State of West Virginia of Dr. Linger was SURRENDERED effective August 15, 2001.

MCVEY, JONATHAN TODD, D.P.M. - University Heights, OH (08/14/01)

WV License No. 366

Board Finding: The Board found that probable cause exists to deny Dr. McVey's license application due to provisions of West Virginia Code §30-3-14(c)(20), and that it is appropriate to grant Dr. McVey a license to practice podiatry in West Virginia provided appropriate limitations are placed upon his license to practice podiatry in the State of West Virginia.

Board Action: Dr. McVey, having met the requirements for podiatry licensure in the State of West Virginia, was GRANTED License No. 366 effective August 15, 2001, subject to limitations.

O'HARA, BRENDAN LINUS, M.D. - Charleston, WV (07/24/01)

WV License No. 20588

Board Finding: The Board found that probable cause exists to deny Dr. O'Hara's application for a license to practice medicine and surgery in this State, due to provisions of West Virginia Code §30-3-14(c)(17) and 11 CSR 1A 12.1(a),(c),(g),(h), and (k), and that it is appropriate to grant Dr. O'Hara a license to practice medicine and surgery in West Virginia provided restrictions, limitations, and accommodations are placed upon his license to practice medicine and surgery in the State of West Virginia.

Board Action: Dr. O'Hara, having met the requirements for medical licensure in the State of West Virginia, was GRANTED License No. 20588 effective July 25, 2001, subject to probation for a period of two (2) years.

WEBB, NANCY RAPISARDI, M.D. - Beckley, WV (09/27/01)

WV License No. 11641

Board Finding: May be unable to practice medicine at an acceptable level of care, skill, and treatment under similar conditions and circumstances.

Board Action: Dr. Webb received a PUBLIC REPRIMAND.

DISMISSAL

RASHID, RICHARD, M.D. – South Charleston, WV (07/16/01)

WV License No. 8615

Board Action: Based upon the Complaint Committee's diligent investigation and recommendation that the complaint be dismissed because of the unavailability of the records, and in accordance with West Virginia Code §30-3-14(j) and 11 CSR 1A 12.3, the Board ORDERED that Count I - Settlement Agreement be DISMISSED and no sanctions be imposed upon the license to practice medicine and surgery in the State of West Virginia issued to Dr. Rashid.

REMINDER:
TOLL FREE NUMBER FOR CONSUMER COMPLAINTS

The Board now has a toll free number for callers within West Virginia who have consumer complaints against a M.D., D.P.M., or P.A.-C. The toll free number is 1-877-867-6411. For all matters other than consumer complaints, the Board's main number, 304-558-2921 must be used.

REMINDER:
Availability of Special Volunteer Medical License

The Board may issue a Special Volunteer Medical License to a retiring or retired physician without payment of fees, and civil immunity is provided for voluntary services rendered to indigent people, as long as the clinic where the physician will be providing the services has a written agreement with the physician to render the services and provided as well that the clinic maintains liability coverage of not less than one million dollars per occurrence.

These licenses are issued on an annual basis. Nine people in West Virginia currently hold a Special Volunteer Medical License. The application is a simple one and the Special Volunteer Medical License is free. If you are interested in obtaining more information, contact Crystal Lowe, (304) 558-2921, Extension 221.

NEW OFFICE HOURS

Effective August 20, 2001, the West Virginia Board of Medicine instituted new office hours. The Board office is open from 8:30 a.m. to 5:00 p.m., Monday through Friday, excluding State holidays. The Board's automated telephone system is still operational, so please do not hesitate to leave a message on an employee's voice mail, and your call will be handled promptly. Please refer to the list of Board employees and extension numbers on Page 2 of this Newsletter.

OUR WEBSITE IS UNDER
CONSTRUCTION AND IMPROVEMENT
WATCH FOR UPDATES,
CHANGES, AND ADDITIONS
WWW.WVDHHR.ORG/WVBOM

WV Board of Medicine



101 Dee Drive
Charleston, WV 25311
Phone: 304-558-2921
Fax: 304-558-2084

*MEETINGS OF THE
WEST VIRGINIA
BOARD OF MEDICINE
2001*

November 5
All meetings begin at 9:00 am

West Virginia Board of Medicine Board Members

Sarjit Singh, M.D., President Weirton	Leonard Simmons, D.P.M., Vice President Fairmont
Henry G. Taylor, M.D., M.P.H., Secretary Charleston	R. Curtis Arnold, D.P.M. South Charleston
Rev. Richard Bowyer Fairmont	Ahmed D. Faheem, M.D. Beckley
Angelo N. Georges, M.D. Wheeling	Ms. Doris M. Griffin Martinsburg
J. David Lynch, Jr., M.D. Morgantown	Phillip B. Mathias, M.D. Glen Dale
Carmen R. Rexrode, M.D. Moorefield	John A. Wade, Jr., M.D. Point Pleasant
S. Kenneth Wolfe, M.D. Huntington	Kenneth Dean Wright, P.A.-C. Huntington

Ext #	Staff of the West Virginia Board of Medicine (304) 558-2921	
227	Ronald D. Walton, M.A.	Executive Director
214	Deborah Lewis Rodecker, J.D.	Counsel
216	G. Wayne Van Bibber, J.D.	Prosecutor
212	M. Ellen Briggs	Administrative Secretary to the Executive Director
220	Becky Burgess	Fiscal Officer
222	Leslie A. Higginbotham	Paralegal and Investigator
215	Lynn Hill	Information Systems Coordinator
210	Charlotte A. Jewell	Receptionist/Physician Assistant Coordinator
213	Sherry M. Kelly	Complaints Coordinator
221	Crystal Lowe	Licensure Analyst
211	Janie Pote	Administrative Secretary to Legal Department
224	Tracy Ransom	Verification Clerk

NEWSLETTER VIA E-MAIL REQUEST FORM

- ☐ Yes, I would like to receive my newsletter via e-mail instead of U.S. mail
(Please check the box)

Name of Licensee: _____ **WV License No:** _____

E-mail Address: _____ (i.e.

user@domain.com)

Signature: _____ **Date:** _____

Original Signature of Licensee is Required

CHANGE OF ADDRESS FORM

WV License No: _____ **Date of Change:** _____

Name of Licensee: _____

PLEASE CHECK ONLY ONE PREFERRED MAILING ADDRESS:

(The preferred mailing address is the licensee's address of record, which is public information.)

(Note that telephone numbers are not considered public information.)

() Principal Office or Work Location *ONLY CHECK ONE* () Home Address

Telephone: _____

Telephone: _____

Signature: _____

Date: _____

Original Signature of Licensee is Required

Mail completed form(s) to:

West Virginia Board of Medicine
101 Dee Drive · Charleston, WV 25311

Fax copies not accepted.

By law, you must keep this office apprised of any and all address changes